

## UNITED STATES DISTRICT COURT

for the  
Southern District of TexasUnited States Courts  
Southern District of Texas  
FILED

JUN 03 2011

David J. Bradley, Clerk of Court

United States of America )

v. )

Jason M. Lall, John D. Paz, John P. Griffin, and )  
Albert Richard )

Case No.

H11-624m

Defendant(s)

w

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August, 2009 - May 13, 2011 in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

18 United States Code Section  
1349

## Offense Description

In or about August 2009 through May, 2011, in the S. Dist. of Texas and elsewhere, Jason M. Lall, John D. Paz, John P. Griffin and Albert Richard, defendants herein, did knowingly combine, conspire, confederate and agree to commit an offense against the United States, namely bank fraud, that is knowingly execute and attempt to execute a scheme and artifice to defraud a federally insured financial institution, and to obtain, by means of false and fraudulent pretenses, representations, and promises, any of the money, funds, assets, or property owned by, and under the custody and control of a federally insured financial institution, in violation of 18 USC §§1344 and 1349

This criminal complaint is based on these facts:

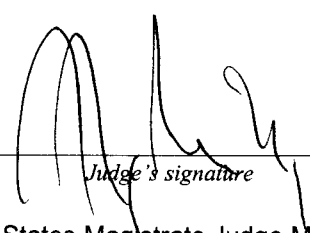
See Attached Affidavit

☒ Continued on the attached sheet.  
Complainant's signatureChristina Foley, Special Agent U.S. Secret Service  
Printed name and title

Sworn to before me and signed in my presence.

Date:

6-3-11

  
Judge's signature

City and state:

Houston, Texas

United States Magistrate Judge Mary Milloy  
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Christina L. Foley, being duly sworn, depose and state as follows, in support of a criminal complaint for:

- A. Jason Lall, 7 Riverway, # 2209, Houston, Texas
- B. John Griffin, 1804 Rosalie, Houston, Texas
- C. John Paz, 13063 Rose Landing Dr, Houston, Texas, and
- D. Albert Richard, 16430 Lost Quail Dr, Missouri City, Texas, all in the Southern District of Texas.

1. I am a Special Agent (SA) of the United States Secret Service (USSS), and have been so employed since April, 2005. I am presently assigned to the Houston Area Fraud Task Force (HAFTF), a section of the USSS Houston Field Office (FO), Houston, Texas. I have received training and instruction in federal criminal laws and the investigation of potential federal violations involving access device fraud, at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia, and the James J. Rowley Training Center (JJRTC) in Beltsville, MD. I am authorized under 18 USC § 3056(b)(3) to conduct criminal investigations of and make arrests for violations of United States law concerning access device fraud and other criminal or unlawful activity in or against any federally insured financial institution. I am further authorized by 18 USC § 3056(c) to execute warrants issued under the laws of the

United States and make arrests, based upon probable cause, for any felony cognizable under the laws of the United States.

2. Beginning in January of 2011, the affiant and other USSS HAFTF members received information from a Harris County Reserve Deputy, used in an undercover (U/C) role, that suspects Jason Lall, John Griffin, John Paz, and Albert Richard, are in a fraudulent scheme together where they place skimming devices and cameras on JP Morgan Chase Bank (Chase) Automated Teller Machines (ATM) to obtain customer debit card numbers and the Personal Identification Number (PIN). The U/C informed HAFTF members that the suspects re-encode the skimmed debit card numbers onto other cards and use the re-encoded debit card numbers and PINs at various ATMs around Houston, Texas to retrieve money from the customer accounts and then divide the obtained money between all of the suspects.

3. Griffin, Lall, and Paz were already known to the affiant as well as other members of the USSS HAFTF by name and sight due to open investigations regarding the same fraudulent activity described by the U/C to HAFTF members.

4. In August of 2009, suspects Griffin and Lall were arrested by the Houston Police Department (HPD) after being identified following customers through a Chase Bank ATM,

located at 4313 Montrose, Houston, TX, while in possession of a laptop, storage devices, transmitting/receiving devices, and a notebook containing Chase Bank customer PINs. At the time of their arrest, a skimming device and a pinhole camera were discovered on the Chase ATM.

5. The U/C, who also knows all four suspects by name and sight, has learned from the suspects and informed USSS HAFTF members that while Lall is the head of the group, Griffin was the person using the skimmed debit card numbers fraudulently at ATMs while Lall was in federal prison from August 2009 - May 7, 2010 to continue the conspiracy. The U/C has learned that Paz is the technical person who re-encodes the skimmed debit card numbers which are used by Lall, Griffin, and Richard at the ATMs. The U/C has witnessed Paz making the ATM skimming devices using a 3-D printer that the suspects purchased together. The U/C stated that suspect Richard prepares the banks where skimming devices are used by moving, covering, or spraying paint on outside surveillance cameras and that Richard is often with Lall and Griffin acting as a look-out when they are using the skimmed debit card numbers at the ATMs. The U/C stated that Griffin, Richard, and Paz are all currently being paid by Lall in cash for the activities listed herein, which have either been previously performed or are still

being performed. The U/C stated that Griffin and Richard have both recently requested from Lall to have their own skimming device. Recorded conversations of Lall and Paz and pictures of the skimming devices, pinhole cameras, and 3-D printer have confirmed the information given by the U/C, whom the affiant and members of the USSS HAFTF have determined to be a credible and reliable source.

#### **Griffin**

6. On 5/8/11, suspect Lall made statements on recording with the U/C regarding suspect Griffin. Lall states Griffin is requesting three skimmers because Griffin put in money to help purchase the 3-D printer (which the U/C has witnessed Paz use to manufacture the ATM skimming devices). While speaking in context of the skimming devices, Lall states that he and Griffin gave word to each other in Chicago and "shook on it" to work together to the end. Lall states that he is still giving Griffin money.

7. On April 5th and 8th of 2010, suspect Griffin, who is known to USSS HAFTF members by name and sight, was identified on video from cameras that were installed by USSS HAFTF members. On the video surveillance, Griffin is witnessed covering the ATM camera and using multiple debit card numbers fraudulently at an ATM located at Unity National Bank (UNB), 1661 Texas Parkway, Missouri City,

Texas to obtain money. Chase Bank Fraud Investigator Co'Torres Gee informed me the customer debit card numbers used by Griffin at the UNB were a result of a skimming device previously found on a Chase Bank ATM located at 11555 Hwy 6, Sugar Land, Texas.

8. The dates of April 5<sup>th</sup> and 8<sup>th</sup> of 2010 in which Griffin was identified on videotape using fraudulently obtained debit card numbers at UNB coincide with the time period in which suspect Lall was incarcerated and confirms the information supplied by the U/C that Griffin ran the cards at the ATMs to obtain money in order to keep the conspiracy going while Lall was incarcerated.

**Paz**

9. On 5/4/11, the U/C witnessed Paz making an ATM skimming device in the 3-D printer, which the U/C has learned is being manufactured to be used by the other suspects to skim bank debit card numbers from ATMs. Paz is on recording with the U/C describing to the U/C how the skimming device is made and Paz states on recording, "when they were put in jail, we asked 'what are we going to do' and we had to figure it out and that's when we came up with this unit." Furthermore, Paz discusses the amount of money that Griffin made when he and Richard were using one skimming device and that Paz' portion of the money was

whatever amount Griffin gave him. Paz states he was told that Griffin "pulled" \$18,000 in one night from the ATMs, but that the most Paz has received at one time from the other suspects is \$2,000.

10. The U/C has learned that the suspects rented a storage unit located at 2150 Wirt Rd, Houston, Texas, where they keep their skimming equipment and Paz uses the storage unit to re-encode the skimmed debit card numbers to be used at ATMs by the other suspects, in furtherance of the conspiracy. On 5/4/11, Paz states in a recorded conversation with the U/C that that the storage unit used by the suspects was rented under another person's name, but that the suspects are paying the rent for the unit. Paz was identified by affiant and other USSS HAF TF members, who they know by name and sight, on video surveillance installed by USSS HAF TF members, at the targeted storage unit on Wirt Rd on multiple occasions during the months of April and May 2011.

11. The U/C witnessing Paz manufacture ATM skimming devices and USSS HAF TF members witnessing Paz at the storage unit on Wirt Rd in Houston, Texas supports the information supplied by the U/C that Paz completes the technical work to manufacture the skimming devices and re-encodes the skimmed debit card numbers that are used by the other suspects to

obtain money in order to further the conspiracy.

12. In May 2011, the affiant received data information from Chase Bank Fraud Investigator Leslie Jordan, whom the affiant and other members of the USSS HAFTF have determined to be a credible and reliable source, showing the loss attributed this group of suspects for the month of April 2011 is \$57,808.14. The information received by Jordan confirms the suspects placed the financial institution at risk of civil liability or financial loss. Jordan explained that Chase Bank was able to determine based on customer complaint that a skimming device was placed on the Chase Bank ATM Meyerland location of 8575 W. Loop South, Houston, Texas on multiple occasions ranging from 03/31/11 - 04/09/11. Jordan explained that the customers' debit cards were all used legitimately at the Chase Meyerland location during the dates and times in question related in proximity to when the Meyerland ATM camera is covered.

**Richard**

13. Surveillance video from the Chase Bank Meyerland location shows a vehicle that resembles Richard's 2000 gray Chevrolet Tahoe pull into the ATM lane at 1:10am on 03/31/11 and an individual's hand spray paint on the outside surveillance camera. Chase Meyerland surveillance video on 03/31/11 at 7:19pm shows the ATM camera being covered. When



uncovered at 7:21pm, suspect Richard is witnessed on the ATM Camera. On 04/02/11 and 04/08/11, the same activity is seen at the Chase Meyerland location. Each date, the ATM camera is covered for a short period of time and when uncovered, suspect Richard or what appears to be his 2000 gray Chevrolet Tahoe is identified on camera by affiant and other USSS HAFTF members, who know Richard by name and sight.

14. The affiant contacted the following twenty-one (21) victims, whose debit card numbers were determined by Chase Bank fraud group to have been skimmed from the Meyerland location between the dates of 3/31/11 - 4/9/11. Each account was closed due to fraudulent activity.

#### Chase Victim Information

Name	Debit Card Ending	Name	Debit Card Ending
Darcy Harper	X - 5207	Nicholl Paulerio	X - 0117
D'Andra Isabel	X - 6757	Judith Herrera	X - 3421
Theodore O'Neal	X - 6353	Justin Richards	X - 0751
Michael Cully	X - 5924	Sofia Katchi	X - 3406
Darrell Walker	X - 8969	Richard Baskharone	X - 2075
Jason Cerda	X - 6631	Pey-Jing Li	X - 7880
Benjamin Glover	X - 8378	Kevin Simon	X - 0137
Rickey Wesley	X - 5274	Ryan Sperry	X - 7748
Shawanica Batiste	X - 7907	Timothy Bird	X - 3343
Carlys Sigler	X - 9860	Jennifer Wycoff	X - 2131
Michelle Chatham	X - 0372		

Each one of the victims confirmed they still had possession of their debit card at the time it was used fraudulently and that they never authorized any of the suspects in this

investigation to have possession of or use their debit card number or PIN.

15. Suspect Richard is also identified by affiant and other USSS HAFTF members, who know Richard by name and sight, spraying paint on Chase Bank surveillance video cameras in Houston, Texas on 01/27/11 at the 5505 Kirby location, on 02/23/11 at the Meyerland location, and on 04/30/11 at the 10301 S. Post Oak location.

**Lall**

16. On 05/06/11, the affiant and other USSS HAFTF members witnessed suspect Lall, who they know by name and sight, use multiple cards in person at a Chase walk-up ATM, located at 9525 Bissonet, and at a Prosperity Bank walk-up ATM, located at S. Gessner Rd and Hwy 59, Houston, Texas. Fraud investigators with Prosperity Bank and Chase bank confirmed that the ATM camera was covered during the time Lall was witnessed at each ATM. Chase Bank fraud investigators confirmed that the debit card numbers used by Lall on 05/06/11 were fraudulent. The affiant spoke to the following six (6) victims, who stated they never authorized Lall or anyone else to use their debit card number.

**Chase Victim Information**

<b>Name</b>	<b>Debit Card Ending</b>	<b>Name</b>	<b>Debit Card Ending</b>
Richard McGee	X - 1416	Maria Acevedo	X - 1494
Edgar Ramirez	X - 8993	Latisha Sendajas	X - 6078
Jacqueline Caldwell	X - 5664	Robert Szafranski	X - 5612

17. On 05/11/11, suspects Lall and Richard are seen on Chase Bank surveillance video, 8384 Westheimer, over the span of about 10 minutes. Around 9:15pm, the vehicle (which the U/C witnessed Lall driving that day) returns to the ATM as the ATM camera is covered. It then appears that the driver is pulling something off of the ATM. After Lall's vehicle drives away, Richard's vehicle is seen at the ATM and the camera is uncovered.

18. JP Morgan Chase Bank is a financial institution headquartered in Ohio and at all times relevant to this complaint has been insured by the Federal Deposit Insurance Corporation (FDIC).

19. Based on the aforementioned facts, the affiant believes there is sufficient probable cause to conclude that on or about August 2009 - 05/13/11, in the Southern District of Texas, suspect Jason Lall, John Paz, John Griffin, and Albert Richard, did, attempt or conspire to commit an offense under Chapter 63 of the United States Code, namely 18 USC § 1344 - Bank Fraud, the commission of which was the

object of the attempt or conspiracy, to wit: knowingly and intentionally devising a scheme or artifice to obtain money from JP Morgan Chase Bank and executing the scheme by skimming JP Morgan Chase Bank debit card numbers and fraudulently using those debit card numbers to obtain money from the bank accounts of JP Morgan Chase bank customers in violation of 18 USC § 1349.

SA Christina Foley

Affiant  
Christina Foley  
Special Agent  
United States Secret Service

Subscribed and sworn to before me this 3<sup>rd</sup> day of June, 2011, and I find probable cause.

  
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Mary Milloy  
United States Magistrate Judge